



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Stephen Hershkowitz, Esq.  
Sandler, Reiff, Lamb, Rosenstein & Birkenstock, PC  
1025 Vermont Avenue, NW  
Suite 300  
Washington, DC 20005

**MAY 06 2016**

RE: MUR 7026

Dear Mr. Hershkowitz:

On, April 28, 2016, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 52 U.S.C. § 30104(e)(2), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script that reads "Dominique Dillenseger".

Dominique Dillenseger  
Attorney

Enclosure  
Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	
Democratic Executive Committee	)	MUR 7026
of Florida and Judy Mount in her official	)	
capacity as treasurer	)	

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Democratic Executive Committee of Florida and Judy Mount in her official capacity as treasurer ("Respondents") violated 52 U.S.C. § 30104(e)(2), a provision of the Federal Election Campaign Act of 1971, as amended, ("the Act").

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Democratic Executive Committee of Florida is a political committee within the meaning of 52 U.S.C. § 30101(4) and is not the authorized committee of any candidate.

2. Judy Mount is the treasurer of the Democratic Executive Committee of Florida.

3. The Act requires committee treasurers to file reports of receipts and disbursements in accordance with the provisions of 52 U.S.C. § 30104. If a state, district, or local party committee's combined annual receipts and disbursements for federal election activity ("FEA") are \$5,000 or more during the calendar year, then it must disclose receipts and disbursements of federal funds and Levin funds used for FEA. *See* 52 U.S.C. § 30104(e)(2)(A); 11 C.F.R. § 300.36(b)(2).

4. On October 23, 2014, the Committee filed its original 12-Day Pre-General Report, which disclosed no receipts on Line 18(b) (Transfers from Levin Funds, from Schedule H5) of the Detailed Summary Page. On January 21, 2015, the Committee filed an Amended 2014 12-Day Pre-General Report, disclosing \$232,457.33 in receipts on Line 18(b) that were not disclosed in the original filing.

5. The Committee contends that the reporting errors were inadvertent and were caused by confusion regarding the proper disclosure of Levin funds. The Committee's Levin fund activities during the 2014 election cycle were the first since 2010 and, the Committee contends that, consequently, the staff did not have experience regarding the proper disclosure of Levin funds. The Committee contends that it discovered the error and promptly reported it to the Commission. Finally, the Committee contends that it has consulted with counsel and instituted procedures to prevent the error from recurring.

V. Respondents failed to disclose receipts totaling \$232,457.33 on the 2014 12 Day Pre-General Report, in violation of 52 U.S.C. § 30104(e)(2).

VI. 1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Seven Thousand Five Hundred dollars (\$7,500), pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondents will cease and desist from violating 52 U.S.C. § 30104(e)(2).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Daniel A. Petalas  
Acting General Counsel

BY: Kathleen Guith  
Kathleen Guith  
Acting Associate General Counsel  
for Enforcement

5-3-16  
Date

FOR THE RESPONDENTS:

Stephen E. Hershkowitz  
Stephen E. Hershkowitz  
Counsel for Respondents

April 15, 2016  
Date

2008-2009